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10 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 ESTATE OF SAOUN POL and J.P.,
12 Plaintiffs,
13 vs.
14 CITY OF STOCKTON,
15 Defendants.

11) Case No.: 2:21-cv-00788-WBS-AC
12)
13) **STIPULATION TO STAY CASE FOR
14) 60 DAYS; ORDER**
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This Stipulation is respectfully submitted by all named parties: Plaintiffs Estate of Saoun Pol, by and through real party in interest J.P. (both in his representative capacity, as successor in interest on behalf of the estate, and in his individual capacity, on his own behalf), on the one hand; and Defendants City of Stockton (also named as "Stockton Police Department") (the "City"), Chief of Police Eric Jones, Officer Jorge Andrade, and Officer Bradley Miller, on the other hand; all through their undersigned counsel of record.

RECITALS

A. On May 3, 2021, Plaintiffs filed this lawsuit. In their Complaint, Plaintiffs allege the City and its officers used excessive force on Saoun Pol, resulting in his death. Plaintiffs are the estate of the decedent (represented by the son of the decedent) and the son of the decedent.

B. On or about May 5, 2021, Plaintiffs served process on the City and Officers Andrade and Miller.

C. On May 25, 2021, the parties filed a stipulation granting the City and Officers Andrade and Miller a 28-day extension of time (through and including June 23, 2021), and deeming Chief Jones to have been served with process so that Plaintiffs need not serve him. (Doc. No. 7).

D. On multiple dates in June 2021, Defendants' counsel provided informal discovery and early disclosures to Plaintiffs' counsel. The information Defendants' counsel provided included both Officers' body camera footage of the incident and incident reports containing eyewitness accounts of the decedent's actions leading up to the use of force. In the course of these disclosures, counsel also engaged in settlement discussions.

E. On June 22, 2021, the parties filed a stipulation and proposed order for a second extension of time, noting they continued to engage in settlement discussions. The stipulation and proposed order requested an additional 21 days to respond to the Complaint (through July 14, 2021). (Doc. No. 8). On June 25, 2021, the Court so

1 ordered the stipulation. (Doc. No. 9).

2 F. Plaintiffs initially were represented by two sets of counsel, the Law Office
3 of Mark E. Merin and the Law Office of Yolanda Huang. On July 8, 2021, the Law Office
4 of Mark E. Merin withdrew from the case. (Doc. Nos. 10 and 11).

5 G. Plaintiffs' remaining counsel and counsel for the Defendants continue to
6 discuss a possible resolution of the case. Plaintiffs' counsel represents that, because of
7 the emotional nature of the situation at issue, Plaintiffs need additional time to consider
8 a possible resolution.

9 H. On July 9, 2021, counsel telephonically met and conferred, and agreed to
10 request the Court to stay the case for 60 days to allow Plaintiffs additional time to
11 process the information they received from defense counsel and determine the future of
12 this case and a possible resolution.

13 STIPULATION

14 IT IS STIPULATED AND AGREED, by all the parties, through their counsel of
15 record, that this case be stayed for 60 days from July 12, 2021, through and including
16 September 10, 2021.

17 IT IS FURTHER STIPULATED AND AGREED that, if the parties have not filed a
18 dismissal of the entire case by September 10, 2021, Defendants shall have 14 days
19 from that date (through and including September 24, 2021), to move, plead, or
20 otherwise respond to the Complaint.

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23 [signatures appear on the next page]
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1 Dated: July 12, 2021

HERUM CRABTREE SUNTAG
A California Professional Corporation

6 Dated: July 12, 2021

3 By: /s/ Dana A. Suntag
4 DANA A. SUNTAG
5 Attorneys for all Defendants

7 LAW OFFICE OF YOLANDA HUANG

8

9 By: /s/ Yolanda Huang
10 YOLANDA HUANG
11 Attorneys for all Plaintiffs

12 O R D E R

13 IT IS SO ORDERED:

14 1. This case is stayed for 60 days from July 12, 2021, through and including
September 10, 2021;

15 2. If the parties have not filed a dismissal of the entire case by September 10,
2021, Defendants shall have 14 days from that date (through and including September
24, 2021), to move, plead, or otherwise respond to the Complaint; and

16 3. The Scheduling Conference is continued to November 22, 2021 at 1:30 p.m.
17 A joint status report shall be filed no later than November 8, 2021 in accordance with
18 the Court's order issued May 3, 2021 (Docket No. 4).

19 Dated: July 13, 2021

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21 WILLIAM B. SHUBB

22 UNITED STATES DISTRICT JUDGE